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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,716	03/08/2001	Hussein Farouk Salama	2705-161	7874

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EXAMINER

NEURAUTER, GEORGE C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/802,716

Applicant(s)

SALAMA, HUSSEIN FAROUK

Examiner

George C. Neurauter, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

Claims 1-14 are currently presented and have been examined.

***Response to Arguments***

Applicant's arguments filed 6 January 2005 have been fully considered but they are not persuasive.

The Applicant argues that MeLampy does not teach a voice VPN. MeLampy discloses:

"One of the best uses of MPLS is to create a VPN..."  
(paragraph 0011)

"The present invention can also be viewed as providing a method for assisting in controlling real-time transport protocol flow through multiple networks." (paragraph 0030)

"Alternatively, an intelligent gateway may not need a soft-switch, but instead, may directly communicate with an ITAD by creating session initiation protocol (SIP) based telephone calls without the use of a soft-switch." (paragraph 0058)

"The TRIB contains a set of policies that are examined upon receipt of a SIP invitation to a select set of potential rules."  
(paragraph 0070)

"Figs. 3A and 3B illustrate a data map that shows policies stored on a session router..." (paragraph 0071)

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"A SDP/firewall/MPLS 314 field contains SDP formatting instructions for use at either network boundaries or for originating sources. (paragraph 0072)

In view of the disclosures of MeLampy, MeLampy discloses that the invention allows for real-time transport protocol flow of data such as session initiation protocol (SIP) based telephone calls or "voice" data over multiple networks such as MPLS or "virtual private networks". Therefore, MeLampy does disclose a "voice VPN" in the context of the claimed invention and the specification.

The Applicant also argues that MeLampy does not teach or suggest creating at least two routing information databases or "TRIBs" as disclosed in MeLampy on a location server. MeLampy discloses:

"The TRIP LS 634 then begins initializing specific TRIBs. Each of the TRIBs contain temporary data that is frequently modified...When instantiation is complete, a TRIB exists for each external adjacent router, a TRIB exists for each internal adjacent router, and output TRIB exists, and a local TRIB exists, all of which are empty and ready for entries."

(paragraph 0109)

In view of the Examiner's broadest reasonable interpretation of the claims as required by MPEP 2111 and the

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disclosures of MeLampy, MeLampy does disclose creating at least two routing information databases or "TRIBs" as disclosed in MeLampy on a location server. The Applicant argues that these TRIBs are a portion of a TRIB. MeLampy specifically teaches that a plurality of TRIBs, each separate from one another, are created. Based on the Examiner's broadest reasonable interpretation, MeLampy teaches this limitation as recited in the claim and the claim does not recite the Applicant's specific implementation of a routing database as argued.

Therefore, MeLampy discloses the limitations of the claims and the claims are not in condition for allowance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(, by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351( shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication 2002/0114282 A1 to MeLampy et al.

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Regarding claim 1, McLampy discloses a method for providing virtual private networks (paragraph 0011-0012) for voice over data network applications, the method comprising:

creating at least two routing information database (referred to throughout the reference as "telephony routing information base" or "TRIB") on a location server; (paragraph 0109)

defining a voice virtual private network for each routing information database; (paragraph 0071 and 0072, specifically paragraph 0072, last sentence)

receiving registration information from at least two gateways in communication with the location server; (paragraphs 0077 and 0105) and

associating each gateway with one of the virtual private networks. (paragraphs 0070, 0072, and 0109)

Regarding claim 2, McLampy discloses the method of claim 1, wherein the method further comprises assigning an identifier ("carrier name") for each virtual private network. (paragraph 0072,, specifically the last sentence; paragraph 0091, specifically the last sentence)

Regarding claim 3, McLampy discloses the method of claim 1, wherein the method further comprises communicating the registration information to other location servers in the same

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network telephony administrative domain. (paragraphs 0067, 0105 and 0125)

Regarding claim 4, McLampy discloses the method of claim 1, wherein the data network uses Internet Protocol. (paragraph 0009)

Regarding claim 5, McLampy discloses the method of claim 4, wherein the routing information database is a telephony routing over IP routing information base. ("TRIB"; paragraph 0070)

Regarding claim 6, McLampy discloses the method of claim 1, wherein the method further comprises leaking a global routing information database to a routing information database for a particular virtual private network. (paragraphs 0067, 0071, 0072, and 0114, specifically paragraph 0114)

Regarding claim 7, McLampy discloses a network device, comprising:

more than one routing information database; (paragraph 0109)

at least one port operable to receive registration information from gateways in communication with the network device; (paragraphs 0075, 0077, 0105, and 0453) and

an association table operable to associate each gateway with a routing information database, thereby associating each

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gateway with a voice virtual private network. (paragraphs 0070, 0072, and 0109)

Regarding claim 8, MeLampy discloses the network device of claim 7, wherein the device further comprises an interface through which the device communicates with other devices having routing information databases to synchronize information contained in the routing information databases between the devices. (paragraphs 0067, 0075, 0105 and 0125)

Regarding claim 9, MeLampy discloses the network device of claim 7, wherein the device is a server. (paragraph 0105)

Regarding claim 10, MeLampy discloses the network device of claim 7, wherein the device is a router. (paragraph 0105)

Regarding claim 11, MeLampy discloses an article including instructions that, when executed, result in:

creation of at least two routing information databases on a network device; (paragraph 0109)

definition of a voice virtual private network for each routing information database; (paragraph 0071 and 0072, specifically paragraph 0072, last sentence)

reception of registration information from gateways in communication with the location server; (paragraphs 0077 and 0105) and



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association of each gateway with one of the virtual private networks. (paragraphs 0070, 0072, and 0109)

Regarding claim 12, MeLampy discloses the article of claim 10, wherein the article further comprises a downloadable file. (paragraph 0107)

Regarding claim 13, MeLampy discloses the article of claim 10, wherein the article further comprises a processor having the instructions stored in memory. (paragraph 0107)

Regarding claim 14, MeLampy discloses a network device, comprising;

means for providing more than one routing information base; (paragraph 0109)

means for defining a voice virtual private network for each routing information base; (paragraph 0071 and 0072, specifically paragraph 0072, last sentence)

means for receiving registration information from gateways in communication with the network device; (paragraphs 0077 and 0105) and

means for associating each gateway with one of the voice virtual private networks. (paragraphs 0070, 0072, and 0109)

#### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

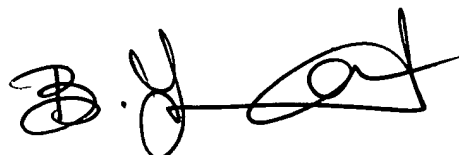
Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is (571) 272-3918. The examiner can normally be reached on Monday through Friday from 9AM to 5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcn

A handwritten signature in black ink, appearing to read 'B. Jaroenchonwanit', with a stylized flourish at the end.

**BUNJOB JAROENCHONWANIT**  
**PRIMARY EXAMINER**